



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10780,405	02/17/2004	Lee Weng	THRSP-0005-0002

20995
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

CONFIRMATION NO. 1305

FORMALITIES LETTER



OC000000014797221

Date Mailed: 12/20/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/03/2004 to the Notice to File Missing Parts (Notice) mailed 06/01/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

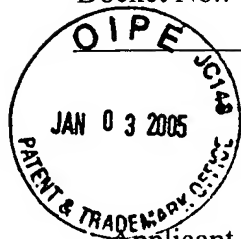
01/04/2005 RHEBRIGHT 00000037 10780405 65.00 DP
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY



**TRANSMITTAL LETTER
RESPONSE TO MISSING PARTS**

Applicant : Weng, et al.
 App. No. : 10/780,405
 Filed : February 17, 2004
 For : ULTRASOUND
 TRANSDUCERS FOR
 IMAGING AND THERAPY
 Examiner : Unknown
 Art Unit : 3737

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 30, 2004

(Date)

Daniel Hart
 Daniel Hart, Reg. No. 40,637

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Notice of Incomplete Reply (Nonprovisional), which was mailed by the Office on December 20, 2004, enclosed are:

- (X) Response to Notice of Incomplete Reply in 2 pages.
- (X) Copy of Response to Notice to File Missing Parts of Nonprovisional Application in 9 pages as filed July 30, 2004
- (X) Copy of Return Receipt Postcard showing the above filing was received in the PTO on August 3, 2004.
- (X) Copy of Combined Declaration and Power of Attorney executed February 23, 2001, from parent application.
- (X) A Notice of Incomplete Reply.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

The fee has been calculated as shown below:

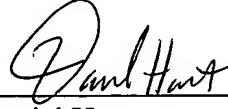
FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Missing Parts	37 CFR § 1.16(e)	2051 (\$65)		\$65
			TOTAL FEE DUE	\$65

- (X) A check in the amount of \$65 is enclosed.

Docket No.: THERUS.006DV1

Customer No.: 20,995

- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Daniel Hart
Registration No. 40,637
Attorney of Record
Customer No. 20,995
(619) 235-8550

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123004



THERUS.006D

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Weng, et al.
Appl. No. : 10/780,405
Filed : February 17, 2004
For : ULTRASOUND TRANSDUCERS
FOR IMAGING AND THERAPY
Examiner : Unknown
Group Art Unit : 3737

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 30, 2004

(Date)

Daniel Hart, Reg. No. 40,637

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Incomplete Reply mailed on December 20, 2004, please find the enclosed Response to Notice to File Missing Parts mailed July 30, 2004, postcard indicating receipt of the Response, Declaration, surcharge, and remarks.

Appl. No. : 10/780,405
Filed : February 17, 2004

REMARKS

The instant application was filed as a divisional application of U.S. Patent Application No. 10/780,405. A signed declaration was filed in the '405 application. The Applicants received a Notice to File Missing Parts mailed on June 1, 2004 in the instant application. The Notice to File Missing Parts indicated that a declaration was missing. In response to the Notice to File Missing Parts, the Applicants submitted on July 30, 2004 a copy of the declaration filed in the parent '405 Application. The PTO returned a postcard indicating that it had received the response and attached copy of declaration. The Applicants then received the Notice of Incomplete Reply dated December 20, 2004 acknowledging receipt of the response to the Notice to File Missing Parts but indicating that a declaration still had not been submitted. In a telephone call with the Initial Patent Examination Division on December 30, 2004, it was indicated that the declaration submitted with the response to the Notice to File Missing Parts could not be located.

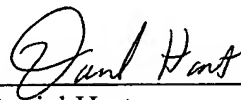
Accordingly, the Applicants are herein resubmitting a copy of the Declaration filed in U.S. Patent Application No. 10/780,405, from which the instant application is a divisional. This declaration satisfies the Notice of Incomplete Reply pursuant to 37 CFR § 1.63(d)(1).

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Dec. 30, 2004

By: 
Daniel Hart
Registration No. 40,637
Attorney of Record
Customer No. 20,995
(619) 235-8550

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123004



Atty Docket No.: THR 0005-0002

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Lee Weng, et al.)	
Serial No.:	10/780,405)	Art Unit: 3737
Filing Date:	February 17, 2004)	
Title:	ULTRASOUND TRANSDUCERS FOR IMAGING AND THERAPY)	Examiner: Not Yet Assigned

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Dear Sir:

In response to a Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004, received by the Applicants in connection with the above-identified patent application, enclosed please find the following documents:

- 1) Copy of this response;
- 2) Copy of Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004 for US Patent Application Serial No. 10/780,405;
- 3) Copy of Utility Patent Application Transmittal, signed and dated February 17, 2004;
- 4) Copy of prior response to Notice to File Missing Parts of Nonprovisional Application dated March 9, 2001 for US Patent Application Serial No. 09/747,310, filing date December 12, 2000;
- 5) Copy of Combined Declaration and Power of Attorney for US Patent Application Serial No. 09/747,310, filing date December 12, 2000; and
- 6) Return Receipt Postcard

Applicants believe that the Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004, issued for the present patent application and copy of which is enclosed with this response, has been issued erroneously by the US Patent and Trademark Office. The present patent application has been filed with the United States Patent and Trademark Office as a Divisional application of a prior US Patent Application Serial No. 09/747,310, filing date December 12, 2000, which has issued as US Patent No. 6,719,694 on April 13, 2004, which claims benefit of US Provisional Patent Application Serial No. 60/171,703, filing date December 23, 1999. A copy of the Utility Patent Application Transmittal, signed and dated on February 17, 2004, and submitted along with the new patent application filing documents to the United States Patent and Trademark Office on February 17, 2004, is enclosed as evidence supporting the above statement.


Applicants further state that a properly executed Combined Declaration and Power of Attorney has been filed with the US Patent and Trademark Office on March 9, 2001 in response to the Notice to File Missing Parts of Nonprovisional Application dated February 12, 2001 and issued for US Patent Application Serial No. 09/747,310, filing date December 12, 2000, of which the present application is a Divisional. A copy of the response and a copy of Combined Declaration and Power of Attorney that were submitted in response to a Notice to File Missing Parts of Nonprovisional Application on March 9, 2001 in the U.S. Application Serial No. 09/747,310, filing date December 12, 2000, are also enclosed.

Applicants believe that because the present application is a Divisional of a prior US Patent Application Serial No. 09/747,310, filing date December 12, 2000, for which a properly executed Combined Declaration and Power of Attorney had been filed on March 9, 2001, a new Declaration is not required in the present patent application. Therefore, applicants respectfully request that the erroneously issued Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004 be withdrawn.

Respectfully Submitted,

2401 Fourth Avenue, Suite 210
Seattle, WA 98121
Tel.: (206) 832-4636
Fax.: (206) 832-4660

Therus Corporation


Sheldon K. Lee
Reg. No.: 53,197

SKL/rno

Enclosures:

Copy of this response;
Copy of Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004;
Utility Patent Application Transmittal, signed and dated February 17, 2004;
Copy of prior response to Notice to File Missing Parts of Nonprovisional Application dated March 9, 2001 for US Patent Application Serial No. 09/747,310, filing date December 12, 2000;
Copy of Combined Declaration and Power of Attorney for US Patent Application Serial No. 09/747,310, filing date December 12, 2000; and
Return Receipt Postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 30, 2004 *E.S. 7/30/04*

Rimma N. Oks
Typed or printed name


Signature



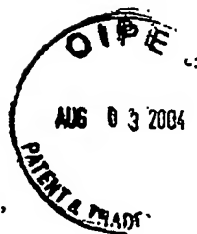
In the application of Lee Weng, et al.;
Application Serial No.: 10/780,405
Filed: February 17, 2004
Atty Docket No.: THRS-0005-0002

Title: ULTRASOUND
TRANSDUCERS FOR
IMAGING AND THERAPY

Docket ✓
08/10/04(RNO)

This postcard verifies that the below listed documents were sent on
July 30, 2004 by Rimma N. Oks to
Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 and was received.

- 1) Response to Notice to File Missing Parts (3 pages; in duplicate)
- 2) Copy of Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004 for US Application No. 10/780,405;
- 3) Copy of Utility Application Transmittal dated February 17, 2004;
- 4) Copy of prior response to Notice to File Missing Parts, dated March 9, 2001, for US Application No. 09/747,310; and
- 5) Copy of Combined Declaration and Power of Attorney for US Application No. 09/747,310;





BOX MISSING PARTS

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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lee Weng, David M. Perozek, Attorney Docket No: THRS0005
and Jimin Zhang

Serial No: 09/747,310 Group Art Unit: 3737

Filed: December 22, 2000 Examiner:

Title: ULTRASOUND TRANSDUCERS FOR IMAGING AND THERAPY

TRANSMITTAL OF MISSING PARTS OF PATENT APPLICATION/
REQUEST FOR RECORDATION OF ASSIGNMENT/
REQUEST FOR CORRECTION OF INVENTORS/
REQUEST FOR CORRECTED FILING RECEIPT

Bellevue, Washington 98004

March 9, 2001

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

A. Transmitted Herewith Are The Following:

- X 1. An executed Combined Declaration and Power of Attorney in the above-identified U.S. patent application, executed by the three properly named inventors, Lee Weng, David M. Perozek, and Jimin Zhang.
- X 2. An Assignment of the invention from the properly named inventors, Lee Weng, David M. Perozek, and Jimin Zhang to Therus Corporation is attached. A Cover Sheet prepared in accordance with 37 C.F.R. § 3.31 is attached to the Assignment. Please record this Assignment in accordance with 37 C.F.R. § 3.11.
- X 3. A copy of the Notice to File Missing Parts.
- X 4. Applicants claims small entity status. See 37 CFR 1.27
- X 5. Our check No. 5009 in the amount of \$980 to cover the total fee as computed below.

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COMPUTATION OF FEE				
	Number of Claims Filed	Number of Extra Claims	Rate	Basic Fee \$355
Total Claims	60 - 20 =	40	\$9	360
Independent Claims	7 - 3 =	4	\$40	160
Multiple Dependent Claims	—	—	\$135	-0-
Total Filing Fee				875
Surcharge Fee				65
Assignment Recording Fee				40
TOTAL FEE				<u>\$980</u>

B. Additional Fee Charges or Credit for Overpayment

Please charge any additional fees or credit any overpayment to Deposit Account No. 01-1940.

A copy of this sheet is enclosed.

C. Request for Correction of Inventors/Request for Corrected Filing Receipt

When the above-identified application was filed, Joseph E. Eichinger was erroneously included as an inventor. The enclosed Combined Declaration and Power of Attorney is only executed by the correct inventors, Lee Weng, David M. Perozek, and Jimin Zhang. Accordingly, it is requested that Joseph E. Eichinger be removed from the listing of inventors in this matter and that a corrected filing receipt be issued, listing only the names of the proper inventors in this matter: Lee Weng, David M. Perozek, and Jimin Zhang. A copy of the filing receipt dated February 12, 2001, which includes Mr. Eichinger, is enclosed for reference.

Respectfully submitted,

Ron Anderson

Ronald M. Anderson
Registration No. 28,829

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on March 9, 2001.

Date: March 9, 2001

Kang Z. Daulton